

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

LOYDALE KIRVEN,

Plaintiff,

vs.

No. CIV 15-0080 JB/KK

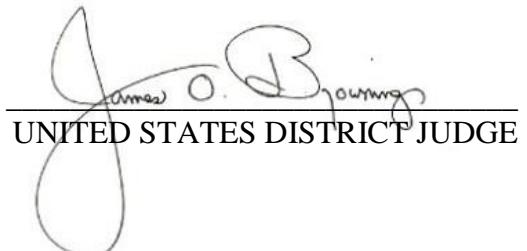
CURRY COUNTY DETENTION CENTER,  
TORY SANDOVAL, and RICHARD  
BENVIDAS,

Defendants.

**ORDER**

**THIS MATTER** comes before the Court on the Order to Cure Deficiency, filed February 3, 2015 (Doc. 3) (“Order”), that the Honorable Kirtan Khalsa, United States Magistrate Judge for the District of New Mexico, issued, directing Plaintiff Loydale Kirven to cure various defects in his Complaint, filed January 29, 2015 (Doc. 1). Order at 1-2. Judge Khalsa ordered Kirven to either pay the statutory filing fee or to seek leave to proceed in forma pauperis under 28 U.S.C. § 1915. See Order at 1. Kirven has not responded to the Court’s Order or paid the \$400.00 filing fee. Because Kirven has failed to comply with the Order and statutory filing requirements, see Baker v. Suthers, 9 F. App’x 947, 949 (10th Cir. 2001), or show cause why the Court should excuse his noncompliance, the Court will dismiss the Complaint without prejudice.

**IT IS ORDERED** that Plaintiff Loydale Kirven’s Complaint, filed January 29, 2015 (Doc. 1), is dismissed without prejudice.

  
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**UNITED STATES DISTRICT JUDGE**

*Party:*

Loydale Kirven  
Clovis, New Mexico

*Plaintiff pro se*